

## **REMARKS**

### **Claim Rejections - 35 U.S.C. §103**

**Claims 1-3 are rejected under 35 USC §102(a) as being unpatentable over Josephson in view of Deaver.**

In the Response to Argument section of the outstanding Office action, regarding the claim language “wherein the power-off signal stops operation of the first circuit and the second circuit and discharges residual charges of the capacitor by said short circuit”, the Office supplemented its position by further stating that:

“It is inherent that when the circuit shown in Deaver’s figure loses power, the operation of the first and second circuits will cease. Therefore, the loss of power will also cause capacitor 24 to discharge, as described in the rejection.”

Therefore, it is a firm position of the Office that the operation of the first and second circuits will cease and capacitor 24 will discharge when Deaver loses power. It should be qualified by stating that in Deaver, power loss is considered an unexpected event, not a planned event. Also, in Deaver, there is no disclosure or teaching of any circuit to initiate a controlled power loss event. Therefore, in reality, Deaver literally does not provide any power off signal, the Office explained operation ceasing is merely due to a lack of supplying power.

In contradistinction, in the present invention, as shown by way of an example in Figure 1, a power off signal is literally provided by a micro-computer 18 to initiate a controlled event of shutting down the first circuit 24 and the second circuit 26, as well as discharging residual charges of a capacitor.

As it is now apparent that literally due to a lack of a power off signal in Deaver, the Office assertion is unsubstantiated by Deaver. The claimed invention is therefore not rendered obvious by the asserted prior art.

In the interest of advancing the prosecution of this application, independent claim 1 is amended to recite:

“a short circuit for short-circuiting substantially between said positive polarity voltage outputting terminal and said negative polarity voltage outputting terminal in response to a power-off signal provided by a control circuit”

As Deaver fails to disclose or teach a power-off signal provided by a control circuit, independent claim 1 and all claims dependent thereon, are further patentably distinguished over the asserted prior art. Reconsideration and withdrawal of this rejection are respectfully requested.

**Claim 6 is rejected under 35 USC § 103(a) as being unpatentable over US Patent No. 4,802,739 (Iwamoto '739) in view of Japanese Application Number JP06152896 (Sawanobori '896) and US Patent No. 5,475,500 (Takeda '500).**

Iwamoto '739 describes a liquid crystal display (LCD) control device having a voltage source 3, a capacitor C2, a switch SW5, a first terminal V<sub>DD</sub>, and a second terminal V<sub>SS1</sub>. Voltage source 3 outputs a +5V to V<sub>DD</sub> and a -5V to V<sub>SS1</sub>. Switch SW5 is closed to discharge capacitor C2 and make a connection between terminals V<sub>DD</sub> and V<sub>SS1</sub>, as shown in FIG. 1 and explained in col. 3, lines 10-14 of Iwamoto.

Sawanobori '896 describes a voltage controller for a charge coupled device (CCD) 15. The CCD 15 receives +15V and -9V, and the discharge circuit 18 discharges the -9V supply line S3 as shown in FIG. 1 of Sawanobori.

Takeda '500 describes a printer. At step S9, a microcomputer 16 checks if a power off command is supplied. These features are shown in FIG. 7B and explained in col. 7, lines 63-65 of Takeda.

The Office proposed combination of references is unsubstantiated, because it is simply unreasonable for a skilled person in the art to combine an LCD control device (Iwamoto '739), a voltage controller for a CCD (Sawanobori '896), and a printer (Takeda' 500).

It should also be noted that Iwamoto clearly discloses and teaches a voltage source 3 outputting +5v and -5V. Differently therefrom, Sawanobori describes a voltage controller for a charge coupled device (CCD) 15. The CCD 15 receives +15V and -9V, and the discharge circuit 18 discharges the -9V supply line S3 (FIG. 1). Therefore, the voltage requirements of Iwamoto and Sawanobori are simply incompatible with each other. Naturally, when Iwamoto and Sawanobori are combined, the end result is a total destruction of various components of Iwamoto and Sawanobori. The combination would also render Iwamoto and Sawanobori unsatisfactory for their individual intended purposes.

In this regard, MPEP 2143.01 has specifically stated that:

"[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d

U.S. Patent Application Serial No.: 09/082,581  
Attorney Docket No. 980673

900, 221 USPQ 1125 (Fed. Cir. 1984)."

Therefore, it is both the U.S. Patent Office position and the Federal Circuit position that when a proposed modification would render the prior art invention being modified to become unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.

Reconsideration and withdrawal of this rejection are respectfully requested.

### **Allowable Subject Matter**

**Claim 4 is objected to as being dependent upon a rejected base claim, but is allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.**

The indication of allowable subject matter in claim 4 is noted with appreciation. Given that independent claim 1 is amended to be further patentably distinguished over the asserted prior art, the subject matter of claim 4 is not added thereto.

### **Claims 5, 7 and 8 are allowed.**

The allowance of claims 5 and 7-8 is noted with appreciation.

U.S. Patent Application Serial No.: 09/082,581  
Attorney Docket No. 980673

**CONCLUSION**

In view of the aforementioned amendments and accompanying remarks, all pending claims are believed to be in condition for allowance, which action, at an early date, is requested.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

By: Michael Lau  
Michael N. Lau  
Reg. No.: 39,479  
Attorney for Applicant  
Tel: (202) 822-1100  
Fax: (202) 822-1111

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